

1 **DAVID Z. CHESNOFF, ESQ.**
Nevada Bar #2292
2 **RICHARD A. SCHONFELD, ESQ.**
Nevada Bar No. 6815
3 **CHESNOFF & SCHONFELD**
4 **520 South Fourth Street**
Las Vegas, Nevada 89101
5 **Tel.: [702] 984-5563**
Fax: [702] 598-1425
6 **dzchesnoffA@cslawoffice.net**
7 **rschonfeld@cslawoffice.net**

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 * * * *

11 **UNITED STATES OF AMERICA**)

12 **Plaintiff,**)

13 **v.**)

CASE NO: 2:15-cr-285-APG-PAL

14 **CHARLES BURTON RITCHIE, and**)
15 **BENJAMIN GALECKI,**)
16 **a/k/a ZENCENSE BEN**)
17 **RYAN MATTHEW EATON,**)

STIPULATION TO CONTINUE
PRETRIAL MOTION DEADLINES

[PROPOSED ORDER]

18 **Defendant.**)
19 _____)

20 **IT IS HEREBY STIPULATED and AGREED** by and between James E. Keller,
21 Assistant United States Attorney, Charles Anthony Miracle, U.S. Department of Justice, Cole
22 Arnold Radovich, U.S. Department of Justice, and David Z Chesnoff, Esq., and Richard A.
23 Schonfeld, attorney for Defendant, Benjamin Galecki and John Lloyd Snook, III, Esq., attorney for
24 Defendant, Charles Burton Ritchie, and Shawn R. Perez, Esq., attorney for Defendant, Ryan
25 Matthew Eaton, that Defendants shall have to and including February 23, 2018, within which to
26 file the Defendant's pretrial motions.

1 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties herein,
2 that the government shall have to and including, March 16, 2018, within which to file any and all
3 responsive pleadings.

4 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties herein that
5 the Defendant shall have to and including, March 26, 2018, within which to file any and all replies
6 to said motions.

7
8 That the calendar call scheduled for May 15, 2018 at 8:45 a.m. in this matter will
9 commence on the scheduled date and time and is not impacted by this Stipulation. That the trial
10 in this matter currently scheduled for May 21, 2018, at the hour of 9:00 a.m., will commence on
11 the scheduled date and time and is not impacted by this Stipulation.

12 While the parties agree to the above stated extensions of deadlines the parties disagree on
13 whether grounds asserted on prior motions briefed before the court can or cannot be filed at this
14 juncture, which this stipulation does not address.

15
16 Accordingly,

17 This Stipulation is entered into for the following reasons:

18 1. That Counsel for the Defendants need additional time to finalize the pretrial
19 Motions that they anticipate filing;

20 2. That Counsel for Defendant Ritchie will be out of the Country starting February
21 8, 2018, returning to his office on February 19, 2018;

22 3. That Counsel Schonfeld has been in communication counsel for the co-defendants
23 and counsel for the government and there is no objection to the continuance as outlined above;

24 4. For all the above-stated reasons, the ends of justice would best be served by a
25
26

1 continuance of the parties' motions deadline, response deadline, reply deadline;

2 5. Denial of this request for continuance of the pretrial motions deadline would deny
3 counsel for Defendant sufficient time within which to be able to adequately research, prepare, and
4 submit for filing appropriate motions taking into account the exercise of due diligence;

5 6. Additionally, denial of this request for continuance would result in a miscarriage
6 of justice;

7 7. For all the above-stated reasons, the ends of justice would best be served by a
8 continuance for the parties' pretrial motions, response deadline and Reply deadline;
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

25 ///

1 8. This is Counsel Schonfeld's third request for continuance of the pretrial motions,
2 response deadlines and Reply deadline on behalf of the Defendant Galecki; however, the request
3 should not impact the trial date.

4 **DATED** this 9th day of February, 2018.

5
6 **UNITED STATES ATTORNEY**

5 **CHESNOFF & SCHONFELD**

7 /s/
8 **JAMES E. KELLER, AUSA**
9 100 West Liberty
10 Reno, Nevada 89501
11 Attorney for Plaintiff

7 /s/
8 **DAVID Z. CHESNOFF, ESQ.**
9 Nevada Bar No. 2292
10 **RICHARD A. SCHONFELD, ESQ.**
11 Nevada Bar No. 6815
12 520 South Fourth Street
13 Las Vegas, Nevada 89101
14 Attorney for Defendant,
15 Benjamin Galecki

11 /s/
12 **COLE RADOVICH / Trial Attorney**
13 Narcotic and Dangerous Drug Section
14 Criminal Division / U.S. Department of Justice
15 145 N Street NE / Second Floor, East Wing
16 Washington D.C. 20530

16 /s/
17 **JOHN LLOYD SNOOK, III**
18 Snoot & Haughey, P.C.
19 408 East Market Street, Suite 107
20 Charlottesville, Virginia 22902
21 Attorney for Defendant, Charles Burton Ritchie

21 /s/
22 **SHAWN R. PEREZ, ESQ.**
23 Law Office of Shawn R. Perez
24 626 South Third Street
25 Las Vegas, Nevada 89101
26 Attorney for Defendant, Ryan Matthew Eaton

1 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

2 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the
3 Court finds that:

4 1. That Counsel for the Defendants need additional time to finalize the pretrial
5 Motions that they anticipate filing;

6 2. That Counsel for Defendant Ritchie will be out of the Country starting February
7 8, 2018, returning to his office on February 19, 2018;

8 3. That Counsel Schonfeld has been in communication counsel for the co-defendants
9 and counsel for the government and there is no objection to the continuance as outlined above;

10 4. For all the above-stated reasons, the ends of justice would best be served by a
11 continuance of the parties' motions deadline, response deadline, reply deadline;

12 5. Denial of this request for continuance of the pretrial motions deadline would deny
13 counsel for Defendant sufficient time within which to be able to adequately research, prepare, and
14 submit for filing appropriate motions taking into account the exercise of due diligence;

15 6. Additionally, denial of this request for continuance would result in a miscarriage
16 of justice;

17 7. For all the above-stated reasons, the ends of justice would best be served by a
18 continuance for the parties' pretrial motions, response deadline and Reply deadline;

8. This is Counsel Schonfeld's third request for continuance of the pretrial motions, response deadlines and Reply deadline on behalf of the Defendant Galecki; however, the request should not impact the trial date.

ORDER

IT IS HEREBY ORDERED that the parties herein shall be have to and including February 23, 2018, within which to file any and all pre-trial motions.

IT IS FURTHER ORDERED that the parties herein shall have to and including March 16, 2018, within which to file any and all responsive pleadings.

IT IS FURTHER ORDERED that the parties herein shall have to and including March 26, 2018, within which to file any and all replies.

IT IS FURTHER ORDERED that the calendar call scheduled for May 15, 2018 at 8:45 a.m. in this matter will commence on the scheduled date and time and is not impacted by this Stipulation. That the trial in this matter currently scheduled for May 21, 2018, at the hour of 9:00 a.m., will commence on the scheduled date and time and is not impacted by this Stipulation.

DATED this 12th day of February, 2018.


UNITED STATES DISTRICT JUDGE

Submitted by:

/s/
RICHARD A. SCHONFELD, ESQ.